

TESTIMONY OF TOM FALIK, ON BEHALF OF
THE CONNECTICUT ASSOCIATION OF HOME CARE REGISTRIES
REGARDING HOUSE BILL 5345
AAC HOMEMAKER COMPANION AGENCIES AND CONSUMER PROTECTION

Good afternoon Senator Doyle, Representative Baram and other members of the General Law Committee. Thank you for this time to testify regarding House Bill 5345. My name is Tom Falik, and I am Chief Operating Office of Euro-American Connections and Homecare. I am here today representing the CT Association of Home Care Registries.

The CT Association of Home Care Registries is very supportive of consumer protections relating to Homemaker Companion Agencies. We realize that in this industry, as in many others, not everyone plays by the rules, and we are absolutely committed to clarification and tightening of reasonable rules regulating the industry, if they will better protect consumers and can be applied equally to all providers of home care services. In the last legislative session, we not only supported, but actually proposed, various protections for consumers, including requiring the all home care registries, for the first time, be subject to the CT Homemaker-Companion Statutes.

We are generally supportive of House Bill 5345, but we would propose certain modifications to strengthen the Bill:

1. Out-of-State & Internet Agencies. We feel the scope of the Homemaker-Companion statutes should be broadened to clarify in Section 20-671, that the requirement for all agencies to register with the Department of Consumer Protection applies to any out-of-state or internet company that seeks to place a caregiver to perform services within the State of Connecticut. There are currently large national internet sites placing caregivers in CT, which do not appear to be on the list of registered agencies maintained by DCP.
2. Failure to Register Penalty. We feel that the penalty for failure to register as a homemaker-companion agency, as set forth in Section 20-672(c), should include a monetary penalty, in addition to injunctive relief, which can take an extended period to enforce.
3. Disclosure of Background Checks to Consumers. We would support agencies having an obligation to include in their Service Agreements a statement that, upon request, the results of criminal background checks of proposed caregivers will be delivered to consumers, provided the legislature is satisfied that this will not violate any privacy issues of the caregivers. We do not think that such disclosure should be mandated, absent a request from the consumer.
4. Definition of "Comprehensive Background Check". The definition of a "comprehensive background check", pursuant to Section 20-678, was clarified in the last legislative session by Public Act 11-242, which added the definition in Section 20-670(5). We feel that this definition is quite adequate, and do not understand the need for greater clarification.
5. Third-Party Level of Service Verification. We do not object to requiring agencies to have clearly defined levels of care, but these will vary from agency to agency. We **STRONGLY OBJECT** to any requirement that a "third-party primary care provider" (not defined) must

validate the level of service. We believe that this requirement would be unduly burdensome to the consumer, and in certain cases, where care is needed immediately, would be impossible for the consumer to satisfy. A family should be able to hire a companion or homemaker for an elderly parent, without having to additionally consult a doctor, social worker or geriatric care manager to "validate" the level of service.

6. Paying for Correct Level of Service. Regarding paying only for the level of service provided, we agree with the concept, but feel that this can be best accomplished by requiring that the level of service be described in the Service Agreement with the consumer, and further providing in the Service Agreement that the consumer cannot be billed for a different level of service unless the consumer agrees to a modification of the Service Agreement.

The CT Association of Home Care Registries feels that House Bill 5345, with the above-mentioned modifications, would be a positive step in protecting consumers of homecare services in Connecticut. We stand ready to work with legislators to help draft such modifications, if our assistance would be helpful.

Thank you for allowing this time for me to testify.